

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 8874

UNITED STATES OF AMERICA) MAGISTRATE CASE No: _____
)
Plaintiff,) COMPLAINT FOR VIOLATION OF
v.) 8 U.S.C. § 1324(a)(2)(B)(iii)
) Bringing In Illegal Aliens
Maria LOPEZ Escobar) Without Presentation (Felony)
)
Defendant.)

The undersigned complainant, being duly sworn, states:

That on October 24, 2007, within the Southern District of California, defendant Maria LOPEZ Escobar, with the intent to violate immigration laws of the United States, knowing and in reckless disregard of the fact that five aliens, namely, Maria Ortencia CALIXTO Ciprian, Anabel MORA Galeana, Marco Antonio MORA Galeana, Victor Hugo JARQUIN Moreira, and Jorge Armando AVALOS Hernandez, had not received prior official authorization to come to, enter and remain in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to a Customs Border Protection Officer at the designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached Statement of facts, which is incorporated herein by reference.

Izabel Figueroa
Izabel Figueroa, CBP
Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25th DAY
OF OCTOBER 2007.

Peter C. Lewis
HON. Peter C. Lewis
U.S. MAGISTRATE JUDGE

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4 PROBABLE CAUSE STATEMENT

5 I, Customs Border Protection Enforcement Officer Jose L.
6 Bolanos, declare under penalty of perjury, the following is true
7 and correct:

8 On October 25, 2007, at approximately 07:22 P.M., a 2003
9 Chevrolet Avalanche arrived at the Calexico West Port of Entry
10 lane number eight, coming from the Republic of Mexico. Driving
11 the vehicle was the defendant Maria LOPEZ Escobar who applied
12 for entry into the United States by presenting to the primary
13 United States Customs and Border Protection Officer (CBPO)
14 Claudia Gomez a counterfeit California Drivers License and
15 declaring to be a United States citizen. At the time of LOPEZ
16 Escobar's application for entry, she was the only visible
17 occupant of the vehicle. LOPEZ Escobar gave a negative customs
18 declaration and stated that her purpose of her visit to Mexico
19 was to drop off her husband. CBPO Gomez opted to refer LOPEZ
20 Escobar and the vehicle into secondary for further inspection.

21 At vehicle secondary office CBPO David Morris conducted an
22 inspection on LOPEZ Escobar's vehicle and was unable to open the
23 cargo area of the vehicle. CBP Canine Enforcement Officer Monty
24 McGee was requested to utilized his narcotics detector dog,
25 which alerted to the back wall side of the vehicle. Five
26 undocumented aliens were discovered inside the cargo area of the
27 vehicle, later identified as Maria Ortencia CALIXTO Ciprian,
28 Anabel MORA Galeana, Marco Antonio MORA Galeana, Victor Hugo
JARQUIN Moreira, and Jorge Armando AVALOS Hernandez. LOPEZ
Escobar was then escorted into the vehicle secondary office for
further inspection.

LOPEZ Escobar was read and explained her Miranda warnings
in the Spanish language by CBP Enforcement Officer Jose L.

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4 Bolanos and witnessed by CBP Enforcement Officer Izabel
5 Figueroa. LOPEZ Escobar said she understood her rights.

6 Material Witness Maria Ortencia CALIXTO Ciprian admitted
7 that she is a native and citizen of Mexico with no legal right
8 to enter into or be in the United States. CALIXTO Ciprian
9 stated that her husband had made the smuggling arrangements in
10 Mexico. CALIXTO Ciprian said an unknown male took her and her
11 husband, to home were they waited, and later were transported to
12 another location to be smuggled in the United States. CALIXTO
13 Ciprian said she was instructed by the unknown man to get in the
14 compartment. CALIXTO Ciprian said that she was in the hidden
15 approximately one hour. CALIXTO Ciprian stated that her final
16 destination was to go to Utah to be reunited with her children.
17 When presented with a photo line up CALIXTO Ciprian, was able to
18 identified LOPEZ Escobar.

19 Material Witness Anabel MORA Galeana admitted that she is a
20 native and citizen of Mexico with no legal right to enter into
21 or be in the United States. MORA Galeana stated that her friend
22 had made the smuggling arrangements in Mexico. MORA Galeana said
23 an unknown male took her and her brother, to an unknown
24 destination were they waited, to be smuggled in the United
25 States. MORA Galeana said she was instructed by the unknown man
26 to get in the compartment. MORA Galeana said that she was in the
27 hidden approximately one hour. MORA Galeana stated that her
28 final destination was to go to Chicago to seek employment. When
presented with a photo line up MORA Galeana, was unable to
identified LOPEZ Escobar.

Material Witness Marco Antonio MORA Galeana admitted that
he is a native and citizen of Mexico with no legal right to
enter into or be in the United States. MORA Galeana stated that
his friend had made the smuggling arrangements in Mexico. MORA
Galeana said an unknown male took him and his sister, to an
unknown destination were they waited, to be smuggled in the

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4 United States. MORA Galeana said he was instructed by the
5 unknown man to get in the compartment. MORA Galeana said that he
6 was in the hidden approximately one hour. MORA Galeana stated
7 that his final destination was to go to San Diego, California to
8 seek employment. When presented with a photo line up MORA
9 Galeana, was unable to identified LOPEZ Escobar.

10 Material Witness Victor Hugo JARQUIN Moreira admitted that
11 he is a native and citizen of Mexico with no legal right to
12 enter into or be in the United States. JARQUIN Moreira stated
13 that he had made the smuggling arrangements in Mexico. JARQUIN
14 Moreira said an unknown male took him, to an unknown destination
15 were he waited, to be smuggled in the United States. JARQUIN
16 Moreira said he was instructed by the unknown man to get in the
17 compartment. JARQUIN Moreira said that he was in the hidden
18 approximately one and a half hour. JARQUIN Moreira stated that
19 his final destination was to go to Los Angeles, California to
20 seek employment. When presented with a photo line up JARQUIN
21 Moreira, was able to identified LOPEZ Escobar.

22 Material Witness Jorge Armando AVALOS Hernandez admitted
23 that he is a native and citizen of Mexico with no legal right to
24 enter into or be in the United States. AVALOS Hernandez stated
25 that he had made the smuggling arrangements in Mexico. AVALOS
26 Hernandez said an unknown male took him and his wife, to an
27 unknown destination were they waited, to be smuggled in the
28 United States. AVALOS Hernandez said he was instructed by the
unknown man to get in the compartment. AVALOS Hernandez said
that he was in the hidden approximately one hour. AVALOS
Hernandez stated that his final destination was to go to Utah,
to reunite with his children. When presented with a photo line
up AVALOS Hernandez, was unable to identified LOPEZ Escobar.

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WMC


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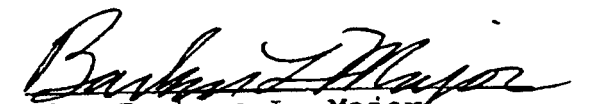
4 **Material witness:**

Name	Country of Birth
Maria Ortencia CALIXTO Ciprian	MEXICO
Anabel MORA Galeana	MEXICO
Marco Antonio MORA Galeana	MEXICO
Victor Hugo JARQUIN Moreira	MEXICO
Jorge Armando AVALOS Hernandez	MEXICO

7 Further, the complainant states that said aliens are citizens of
8 a country other than the United States; that said aliens have
9 admitted that they are deportable; that their testimony is
10 material, that it is impracticable to secure their attendance at
11 the trial by subpoena; and they are material witnesses in
12 relation to this criminal charge and should be held or admitted
13 to bail pursuant to Title 18, United States Code, Section 3144.
14 Executed on October 25, 2007 at approximately 05:15 A.M.

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17 
18 Jose L. Bolanos, CBP
Enforcement Officer

19 On the basis of the facts presented in the probable cause
20 statement consisting of **four** pages, I find probable cause to
21 believe that the defendant named in this probable cause
22 statement committed the offense on October 24, 2007 in the
violation of Title 8, United States Code, § 1324.

23 
24 HON. Barbara L. Major
25 UNITED STATES MAGISTRATE JUDGE

10/25/07 at 9:10am
Date and Time